

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.
BRANDON DENZEL WASHINGTON
and MARIA GEORGIANNA PALM,

Defendants.

No. 2:23-cr-00058-RAJ

ORDER GRANTING JOINT MOTION
TO CONTINUE THE TRIAL DATE

THIS MATTER comes before the Court on the joint motion of the government and both defendants to continue the trial date in this matter. Having considered the joint motion and all the files and records herein, the Court finds and rules as follows:

The facts supporting continuing the trial and excluding the consequent delay are set forth in the Joint Motion to Continue, incorporated by this reference, and include the following: (a) the seriousness of the charges; (b) the number of charged counts, including the addition of five more counts against Washington; (c) the addition of co-defendant Palm, who had not had access to discovery until she was charged; (d) the volume of discovery produced, and still to be produced; (e) the complexity of the discovery, including the volume of digital data and business records; (f) the fact that much discovery is produced pursuant to a protective order, requiring defendants to meet with their

1 counsel to review it, and both defendants live out of state; and (g) the schedules of
2 various counsel and their other cases.

3 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
4 3161(h)(6), that Palm is joined for trial with co-defendant Washington, no motion to
5 sever has been granted or even sought, and the time for trial for neither Washington nor
6 Palm has yet run.

7 THIS COURT FURTHER FINDS, pursuant to Title 18, United States Code,
8 Section 3161(h)(7)(B)(i), that failing to grant a continuance under these circumstances
9 would make proceeding impossible or result in a miscarriage of justice.

10 THIS COURT FURTHER FINDS, pursuant to Title 18, United States Code,
11 Section 3161(h)(7)(B)(ii), that this case is sufficiently unusual and complex, due to the
12 number of counts, the number of victims, and the volume and complexity of discovery,
13 that it is unreasonable to expect adequate preparation by the parties for pretrial
14 proceedings or for the trial itself by the current trial date.

15 THE COURT FURTHER FINDS, pursuant to Title 18, United States Code,
16 Section 3161(h)(7)(B)(iv), that even if Section 3161(h)(7)(B)(ii) did not apply, the failure
17 to grant a continuance in this case would deny counsel for the several defendants and the
18 attorney for the government the reasonable time necessary for effective preparation—due
19 to all parties' need for more time to review the considerable volume of discovery and
20 evidence produced, and still to be produced, and to consider possible defenses and
21 motions—taking into account the exercise of due diligence, and that the failure to grant a
22 continuance of this length would unreasonably deny each of the parties continuity of
23 counsel, due the attorneys' trial schedules and conflicts relating to other matters.

24 THE COURT THEREFORE ALSO FINDS, pursuant to Title 18, United States
25 Code, Section 3161(h)(7)(A), that the ends of justice served by a continuance to
26 January 27, 2025, outweigh the best interest of the public and the defendants in a speedy
27 trial.

1 THIS COURT ALSO FINDS, pursuant to Title 18, United States Code, Section
2 3161(h)(6) and (7), that this is a reasonable period of delay, in that all parties confirm
3 they require more time to prepare for trial and believe that January 2025 is the earliest
4 that they could be prepared to proceed to trial. The Court agrees that, given the
5 complexity of the case, the number of counts and victims, and the volume of discovery
6 produced and still to be produced, that this amount of time is, in fact, necessary.

7 NOW, THEREFORE, IT IS HEREBY ORDERED that the parties' joint motion
8 (Dkt. 84) is GRANTED. The trial date is continued to January 27, 2025. All pretrial
9 motions, including motions in limine, shall be filed no later than November 12, 2024.

10 IT IS FURTHER ORDERED that the time between the date of this order and the
11 new trial date of January 27, 2025, is excluded in computing the time within which a trial
12 must be held pursuant to Title 18, United States Code, Section 3161, *et seq.*

13 IT IS SO ORDERED.

14 DATED this 2nd day of April, 2024.

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18 The Honorable Richard A. Jones
19 United States District Judge
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